

AMENDED IN SENATE MAY 1, 2000  
AMENDED IN SENATE APRIL 13, 2000

**SENATE BILL**

**No. 2034**

**Introduced by Senator Figueroa**

February 25, 2000

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An act to amend Section 473.15 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 2034, as amended, Figueroa. Healing arts: Chiropractic Act, Osteopathic Act.

(1) Existing law, an initiative measure approved by the electors on November 7, 1922, provides for the regulation and licensing of chiropractors in this state by the State Board of Chiropractic Examiners. The act places no time limitation on the operation of the board; however, existing codified law makes the board's continued operation subject to a review process initiated by the Joint Legislative Sunset Review Committee during the interim recess of 1998.

This bill would require the review process to be undertaken during the interim recess of 2001, and would make related changes.

(2) The Osteopathic Act, an initiative measure approved by the electors on June 2, 1913, provides for the regulation and licensing of osteopathic physicians and surgeons in this state by the Osteopathic Medical Board of California. The act places no time limitation on the operation of the board; however, existing codified law makes the board's continued existence

subject to a review process initiated by the Joint Legislative Sunset Review Committee during the interim recess of 1998.

This bill would require the review process to be undertaken during the interim recess of 2003, and would make related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 473.15 of the Business and  
2 Professions Code is amended to read:  
3 473.15. (a) The Joint Legislative Sunset Review  
4 Committee established pursuant to Section 473 shall  
5 review the following boards established by initiative  
6 measures, as provided in this section:  
7 (1) The State Board of Chiropractic Examiners  
8 established by an initiative measure approved by electors  
9 November 7, 1922.  
10 (2) The Osteopathic Medical Board of California  
11 established by an initiative measure approved June 2,  
12 1913, and acts amendatory thereto approved by electors  
13 November 7, 1922.  
14 (b) ~~The State Board of Chiropractic Examiners~~  
15 *Osteopathic Medical Board of California* shall prepare an  
16 analysis and submit a report as described in subdivisions  
17 (a) to (e), inclusive, of Section 473.2, to the Joint  
18 Legislative Sunset Review Committee on or before  
19 September 1, ~~2004~~ 2003.  
20 (c) ~~The Osteopathic Medical Board of California~~ *State*  
21 *Board of Chiropractic Examiners* shall prepare an  
22 analysis and submit a report as described in subdivisions  
23 (a) to (e), inclusive, of Section 473.2, to the Joint  
24 Legislative Sunset Review Committee on or before  
25 September 1, ~~2003~~ 2001.  
26 (d) The Joint Legislative Sunset Review Committee  
27 shall, during the interim recess of ~~2004~~ 2003 for the ~~State~~  
28 ~~Board of Chiropractic Examiners~~ *Osteopathic Medical*  
29 *Board of California*, and during the interim recess of ~~2003~~  
30 2001 for the ~~Osteopathic Medical Board of California~~

1 *State Board of Chiropractic Examiners*, hold public  
2 hearings to receive testimony from the Director of  
3 Consumer Affairs, the board involved, the public, and the  
4 regulated industry. In that hearing, each board shall be  
5 prepared to demonstrate a compelling public need for  
6 the continued existence of the board or regulatory  
7 program, and that its licensing function is the least  
8 restrictive regulation consistent with the public health,  
9 safety, and welfare.

10 (e) The Joint Legislative Sunset Review Committee  
11 shall evaluate and make determinations pursuant to  
12 Section 473.4 and shall report its findings and  
13 recommendations to the department as provided in  
14 Section 473.5.

15 (f) In the exercise of its inherent power to make  
16 investigations and ascertain facts to formulate public  
17 policy and determine the necessity and expediency of  
18 contemplated legislation for the protection of the public  
19 health, safety, and welfare, it is the intent of the  
20 Legislature that the State Board of Chiropractic  
21 Examiners and the Osteopathic Medical Board of  
22 California be reviewed pursuant to this section.

23 (g) It is not the intent of the Legislature in requiring  
24 a review under this section to amend the initiative  
25 measures that established the State Board of Chiropractic  
26 Examiners or the Osteopathic Medical Board of  
27 California.

